

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA

v.

BIJAN RAFIEKIAN,

Defendant.

No. 1:18-cr-457-AJT

THE UNITED STATES' MOTION TO CONTINUE STATUS CONFERENCE

On March 25, 2022, this Court granted defendant's renewed motion for a new trial and set a status conference for April 20, 2022, to schedule a date for a new trial. *See* Dkt. 412. The United States has now noticed an appeal from that order. *See* Dkt. 413. Because setting a new trial date necessarily depends on when and how such an appeal is finally resolved, the United States respectfully requests that the Court continue the April 20 status conference until that resolution. *See, e.g., United States v. Christy*, 3 F.3d 765, 767–78 (4th Cir. 1993) (noting that the filing of a notice of appeal divests district court of jurisdiction over aspects of case involved in appeal). Counsel for the government has informed defense counsel of its notice of appeal and its intent to seek this continuance, and defense counsel opposes the continuance.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2022, I electronically filed the foregoing using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/
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Assistant United States Attorney